CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Docket No. Applicant(s): 112701-052 Filing Date Examiner Group Art Unit March 13, 2000 V. Afremova 1651 OF MINERALS BY INTESTINAL CELLS Invention: I hereby certify that the following correspondence: Continued prosecution application (CPA) transmittal in duplicate, Petition for extension of time, Preliming amendment, filing fee and three month extension fee \$\$1660.00, postcard (Identify type of correspondence) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on February 7, 2002 (Date) on Mailing Correspondence) rson Mailing Correspondence) EL727382126US ("Express Mail" Mailing Label Number)

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	Enter the unentered amendment previously filed on under 37 CFR 1.116 in the prior nonprovisional application.									
2. 🛭 A	A preliminary amendment is enclosed.									
3. 🔲 Th	This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).									
•	i. 🗆 DE l	FTF the followi	ing inventor(s) nam	ed in the prior	nonprovis	ional appl	ication:			
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4. 🗆 A	new power o	of attorney or au	thorization of agent	is enclosed.						
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6. 🗵 Th	e fee for thi	s application is o	calculated as follow	s:						
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8. A check in the amount of \$1,660.00 is enclosed.

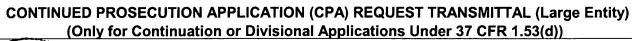
9. X Also enclosed:

Petition for Extension of Time under 37 CFR 1.136(a) along with a three month extension of time of \$920.00

mmissioner is hereby authorized to credit overpayments or charge the following fees to

10. A The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

Robert M. Barrett Bell, Boyd & Lloyd LLC P.O. Box 1135 Chicago, Illinois 60690





NOTES

Submit an original, and a duplicate for fee processing.

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FILING QUALIFICATIONS: The prior application must be a nonprovisional application that seither (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated:	February	, 7	2002	

Signature

Robert M. Barrett

Typed or printed name

30,142

Registration Number (if applicable)

Inventor(s)

Assignee of complete interest

Attorney or agent of record

cc:

EER 0 7 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ABSORPTION OF MINERALS BY INTESTINAL CELLS

Appl. No.:

Mallangi et al.

Appi. 1

09/445,796

Filed: Title: March 13, 2000

Art Unit:

1651

Examiner:

V. Afremova

Docket No.:

112701-052

Commissioner for Patents Washington, DC 20231

PRELIMINARY AMENDMENT

Sir:

Please amend the above-identified patent application as follows:

In the Specification

Please substitute the paragraph beginning on page 3 at line 9 with the following:

Any food-grade, lactobacilli strain which may be used. For example, the following lactobacilli may be used: Lactobacillus acidophilus, Lactobacillus crispatus, Lactobacillus amylovorous, Lactobacillus gallinarum, Lactobacillus gasseri and Lactobacillus johnsonii; Lactobacillus paracasei; Lactobacillus reuterii; Lactobacillus brevis; Lactobacillus fermentum; Lactobacillus plantarum, Lactobacillus casei especially L. casei subsp. casei and L. casei subsp. rhamnosus; Lactobacillus delbruckii especially L. delbruckii subsp. lactis, L. delbruckii subsp. helveticus and L. delbruckii subsp. bulgaricus; for example (Bergey's Manual of Systematic Bacteriology, vol. 2, 1986; Fujisawa et al., Int. Syst. Bact. 42. 487-491, 1992).

In the Claims:

Please amend Claims 11, 12, 14, 19 and 21-23.

11. (Amended) A method for the treatment or prophylaxis of treating mineral deficiencies in a mammal comprising the steps of enterally administering to the mammal a nutritional composition comprising one or more *Lactobacillus* bacteria.

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